

## **REMARKS**

### **Claim amendments**

Claim 25 is amended herein. Support for the amendment can be found throughout the specification. No new matter has been added.

### **Rejection of Claim 25 Under 35 U.S.C. 102(a)**

Claim 25 is rejected under 35 U.S.C. 102(a) as being anticipated by Zhao et al (May 2000) and Zhao et al. (December 1999). Although the Office Action states that Zhao et al. (December 1999) is a 102(b) reference, Applicants believe this is a result of a typographical error. The priority date for the instant application is September 26, 2000. Therefore, the publication date for Zhao et al. (December 1999) is less than 1 year prior priority filing date.

Regardless, without conceding to the correctness of the Examiner's position but in order to expedite prosecution of the instant application, Claim 25 has been amended to remove 2'-O-methylribonucleotide. As such, the cited art does not anticipate the claimed invention. Reconsideration and withdrawal of the rejection are respectfully requested.

### **Double Patenting**

Applicants acknowledge the withdrawal of the double patenting rejection in view of the Terminal Disclaimer filed in response to the previous Office Action.

## **CONCLUSION**

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

Dated: May 8, 2008

By: /Joseph C. Zuccherio/

Keown & Zuccherio, LLP  
500 West Cummings Park, Suite 1200  
Woburn, MA 01801  
Telephone: 781-938-1805  
Facsimile: 781-938-4777

Joseph C. Zuccherio  
Registration No. 55,762